



**Brighton & Hove
City Council**

**COUNCIL
ADDENDUM**

4.30PM, THURSDAY, 29 JANUARY 2009

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

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Council

29 January 2009

Agenda Item 45A

Brighton & Hove City Council

Subject:	Appointment of Acting Chief Executive and Head of Paid Service
Date of Meeting:	29 January 2009
Report of:	Chief Executive
Contact Officer:	Name: Abraham Ghebre-Ghiorghis Tel: 29-1500
	E-mail: abraham.ghebre-ghiorghis@brighotn-hove.gov.uk
Key Decision:	Yes/No
Wards Affected:	All

FOR GENERAL RELEASE

The Chairman of the meeting has been consulted and is of the opinion that the item should be considered as a matter of urgency.

The special circumstances for non-compliance with Council Procedure 23 and section 100B(4) of the Local Government Act 1972 (items not to be considered unless agenda item is open to inspection at least 5 clear days in advance of the meeting) are that, given the expected early retirement of the Chief Executive, Council needs to appoint an Acting Chief Executive at this meeting to avoid a gap. The proposals were developed following the decision of the Governance Committee and were therefore not ready at the time of despatch of the Council agenda.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To seek Council's approval to the appointment of Mr Alex Bailey as Acting Chief Executive pending the appointment of a permanent Chief Executive.

2. RECOMMENDATIONS:

- 2.1 That Council appoints Mr Alex Bailey as Acting Chief Executive and Head of Paid Service pending the appointment of a permanent Chief Executive;
- 2.2 That Council notes the proposed Acting arrangements regarding the roles of Director of Strategy & Governance and Monitoring Officer;
- 2.3 That the Acting Assistant Director of Human Resources, after consultation with the Leader of the Council and the Leaders/Convenor of the other Groups, be authorised to agree the terms and conditions of employment of the Acting Chief Executive within the existing salary scale for the post of Chief Executive.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Governance Committee, at its meeting on 22nd January, agreed proposals for the early retirement of the Council's Chief Executive. Under the Local Government and Housing Act 1989, the Council has a legal duty to appoint a "Head of Paid Service" which, in practical terms, is a role fulfilled by the Chief Executive. The appointment of the Chief Executive (Acting or permanent) requires Full Council approval.
- 3.2 Following consultation with Group Leaders, it is proposed that Mr Alex Bailey be appointed as Acting Chief Executive and Head of Paid Service pending the appointment of a permanent Chief Executive. Mr Bailey has considerable experience in Local Government at a senior level and, in the last 6 years, has acted as the Council's Director of Strategy & Governance and Monitoring Officer which included responsibility for wide ranging Council functions including Policy, Legal and Democratic Services, Human Resources, Improvement & Development and Communications.
- 3.3 Subject to Council's approval of the appointment of Acting Chief Executive, it is proposed to appoint the Head of Policy as Acting Director of Strategy & Governance. The Local Government and Housing Act 1989 prohibits any two or more of the positions of Head of Paid Service, Monitoring Officer or Chief Finance Officer from being held by the same person and it would not be good governance practice for the roles to be combined. It is therefore proposed to appoint the Head of Law (currently Deputy Monitoring Officer) as the Acting Monitoring Officer. These Acting Up appointments will be made by the Acting Chief Executive in accordance with the Council's Officer Employment Procedure Rules.

4. CONSULTATION

- 4.1 All the Group Leaders were consulted about the proposed appointment of the Acting Chief Executive.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The proposed acting up arrangements will be funded from existing budgets held in respect of the relevant posts by the Chief Executive's Office and the Strategy & Governance Directorate.

Finance Officer Consulted: Nigel Manvell, S151 Officer Date: 27/01/09

Legal Implications:

- 5.2 The Council has a duty to appoint a Head of Paid Service which has to be approved by the Full Council under the Local Authorities (Standing Orders) Regulations 2001. The other Acting arrangements are delegated to Officers

(the Chief Executive.) The proposals in this report are consistent with legal requirements and the Council's procedures.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Date: 27/01/09

Equalities Implications:

5.3 There are none arising directly from this report.

Sustainability Implications:

5.4 There are none arising directly from this report.

Crime & Disorder Implications:

5.5 There are none arising directly from this report.

Risk & Opportunity Management Implications:

5.6 There are none arising directly from this report.

Corporate / Citywide Implications:

5.7 There are none arising directly from this report.

SUPPORTING DOCUMENTATION

Appendices:

None

Background Documents

None

WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Council.

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following written questions have been received from members of the public.

(a) Mr C Hawtree

"With the emerging Library Plan in mind, could Councillor Smith please tell us what steps he will be taking to ensure that all teenage pupils in this authority's schools are introduced to the library service and encouraged to make full use of it?"

Councillor David Smith, Cabinet Member for Culture Recreation & Tourism will reply.

(b) Ms J Offer

"As a local resident and parent of children at Downs Infant and Junior schools I would like to ask what the contingency plan is for the Hollingdean Waste Transfer site should there be a fire or other such emergency?"

Councillor Geoffrey Theobald, Cabinet Member for Environment will reply.

(c) Mr. M Unwin

"What are the health implication for local residents of the unpleasant smell currently emanating from the Hollingdean waste facility, and what plans does the council have to address the situation?"

Councillor Geoffrey Theobald, Cabinet Member for Environment will reply.

(d) Mr Nick Savvides

“The area east of the railway bridge was a designated Air Quality Management Area. In 2007 when discussing this area, and the effect the dump would have on the air quality, council environment officers said that air quality would deteriorate as a result of the heavier traffic caused by the dump. In addition the council representatives suggested that they would consult the local population in order to find a solution to this problem. I would like to know what steps the council has taken to monitor the air quality in the residential areas around the dump, what happened to the consultation and what they propose to do to improve the air quality? I would also like to ask that if any monitoring of the facility is carried out can that be by an independent body, rather than Veolia, and that the results of this monitoring be made public?”

Councillor Geoffrey Theobald, Cabinet Member for Environment will reply.

(e) Ms. L Deller

"How can they stop the smell when the building is basically an open fronted shed? Surely it is impossible without rebuilding the whole thing with some sort of double door system and super extractor system?"

Councillor Geoffrey Theobald, Cabinet Member for Environment will reply.

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which one Member of the Council, nominated by the Mayor, may speak in response. It shall then be moved by the Mayor and voted on without discussion that the deputation be thanked for attending and its subject matter noted.

Notification of two Deputations has been received. The spokesperson is entitled to speak for 5 minutes.

(a) Deputation concerning London Road**Ms Christina Summers (Spokesperson)**

St. James's Investments (SJI) has been steadily buying up property along the London Road and has produced proposals for regenerating the area ostensibly based on two public consultations. Brighton & Hove City Council has an ongoing 'Masterplan' for this area that lays down definite parameters for any regeneration proposal. 'Another London Road' Campaign (ALR) is concerned that SJI is not only ignoring these parameters, but is also pursuing a pre-planned agenda that includes a Tesco superstore which does not reflect the needs and wishes of the local residents and businesses.

Councillor Kemble, Cabinet Member for Enterprise, Employment & Major Projects will respond.

Note: A supporting document of two pages in accordance with the procedural rules for deputations is detailed as follows:

Supporting Documentation

‘Another London Road’ Summary of Feedback:

“What would you like changed in London Road?”

From leaflets, stall comment book and public meeting of 22 July 2008 held at Calvary Evangelical Church, Preston Circus

Retail

Open Market: develop, invest, expand and cover. Include local/farmers’ produce.

Retain diversity

Shops: small, diverse, variety, unique, affordable. Enough supermarkets already.

No more large chains or supermarkets.

More restaurants.

Co-op Building: use as a department store or for small shops/businesses: indoor market.

Retain and enhance historical shop fronts.

Commercial/ Housing

Keep **New England House** for its small business and historical value

Vantage Point: affordable rents for creative industries

Encourage **local businesses** and co-operatives

Housing co-operatives/affordable housing

Traffic and Transport

Reduce traffic by encouraging alternatives:

Pedestrianisation, wider pavements, fewer obstructions, pedestrian routes linking to other areas and separated from traffic. More favourable pedestrian crossings.

Cycling: segregated cycle lane

Buses: more imaginative bus routes, possibly using area behind station as terminus

Park and Ride if feasible

Environment/ Cultural/ Community

More **trees**

Open spaces to sit – pocket parks

Safe **playground**

Better **toilets**

Public **Art**

Sports and Leisure

Graffiti

London Road Festival

The Impact of the Supermarket: Factsheet

- Every £10 spent in a local food initiative is worth £25 to the local economy because small local food businesses support other local businesses. The same £10 spent in a supermarket produces just £14 worth of benefits for the local community, as money is diverted out of the area to distant shareholders.
Joanna Blythman, Shopped, 2004
- In 2004, small, family-owned business took £42,000 worth of turnover to create a job. Superstores took an average of £95,000 of sales to create a single job.
Andrew Simms, Tescopoly, 2007
- Research funded by the supermarkets themselves shows that new stores do not result in new jobs but in job losses: an average of 276 jobs are lost when a new supermarket opens with strong evidence that new out-of-centre superstores have a negative net impact on retail employment up to 15km away.
Sam Porter and Paul Raistrick, The Impact of Out-of-Centre Food Superstores on Local Retail Employment, The National Retail Planning Forum, c/o Corporate Analysis, Boots Company Plc., Nottingham
- Between 1997 and 2002, specialist stores like butchers, bakers and fishmongers shut at the rate of fifty per week. Nearly one third of unaffiliated independent stores closed between 2000 and 2006. Just under 2,500 food, beverage and tobacco wholesalers were lost in the decade to 2002, with wholesalers closing at the rate of 6 per week in the two years up to 2003. Also, traditional pubs are closing at a rate of 20 per week, largely because they cannot compete with the cheap alcohol sold in supermarkets.
Andrew Simms, Ghost Town Britain & Ghost Town Britain II, New Economics Foundation. 2002/2003
VAT registered businesses, Department of Trade and Industry
Campaign for Real Ale
- In a Guardian report on the impact of a 24-hour Tesco on traders in a run-down area of Oldham a year after opening, only one trader reported a slight increase in business after the store opened – a shoe-repair, key cutting and dry cleaning business not facing direct competition from Tesco. Other traders saw declines.
The Guardian, 8 October 2008:
<http://www.guardian.co.uk/society/2008/oct/08/regeneration.tesco.communities>
- Supermarkets' supply and distribution chains have a significant negative impact on the environment, importing food that can easily be grown in this country. For example, at the height of the UK apple season under half of the apples on offer in the big four supermarkets were home-grown. This increases food miles and has had a devastating effect on the British farming industry.
Friends of the Earth media briefing 'British Apples for Sale'. Nov 2002
- A 2000 Competition Commission report on supermarkets concluded that Tesco, and other supermarkets, "operates against the public interest" by being "engaged in the practice of persistently selling some frequently purchased products below cost", and "varying prices in different geographical locations in the light of local competitive conditions, such variation not being related to costs" – in other words dropping prices to undercut competitors, then raising them again later.
Joanna Blythman, Shopped, 2004.

(b) Deputation concerning Park House Development, Old Shoreham Road: 5-storey block 72 of Flats – BH2008/03640

Dr D Barker (Spokesperson)

From HydeMartlet's *Statement of Community Engagement* you may think local residents are largely in favour of this scheme. The fact that more than fifty firm and considered objections have been received by the Council shows just how far local feeling has been misrepresented in this matter. Local people have the strongest objections to these plans and will not acquiesce in them as they stand.

72 units are far too many – socially and environmentally – for both current and prospective residents. We have all seen the plans and we all know the area. This is an unprecedented density of occupation and an unprecedentedly large building. All our objections spring from this point.

I refer Councillors to written objections on the inability of the local infrastructure to support so large a scheme. Shops are not easily accessible – especially with pushchairs, let alone by disabled people; public transport is not readily amenable; surgeries are full. This is a suburban area, not a city centre. To provide only 24 parking-spaces is naïve or cynical. There will inevitably be greatly increased pressure on local parking – north and south of the A270, given the displacement of 16 spaces on Hove Park Gardens. The traffic-lights at the crossroads – backed up to Hove Park Villas in the rush hour – will be even more hard-pressed to cope with an increase in service vehicles, inevitable delivery lorries and taxis, without any extra car-traffic, let alone the dream of 100 bicycles. How many more accidents must there be?

72 units on this site mean a building which is too large as seen from the outside and too small as lived in on the inside. The plan is for poky units with poky outdoor spaces – balconies and terraces which open straight onto the main road. Read HydeMartlet's own noise survey if you think these could be usable. Residents do not sit out in front gardens opposite.

72 units entail a vast visual impact on the area. At five storeys the building would overlook and dominate all the neighbouring properties – even flats. It would be as high as most established nearby trees – those, at least, that HydeMartlet doesn't propose felling – and a storey and a half higher than tall private houses. It would reach unacceptably close to the pavement. At present the established tree-line makes a continuous sweep from Hove Park to the Recreation Ground. HydeMartlet proposes replacing what is essentially a continuation of the suburban parkscape with a lowering and unrelieved urban façade hardly screened by the miniature elms it proposes to squeeze uneasily between the building and the pavement.

72 units, finally, means that the Edwardian Park House itself must be destroyed. We wonder why. Many similar period properties have been refurbished. This one, surrounded by established palms, is not only attractive but architecturally in keeping with the area. It would convert readily into desirable flats.

But this bloated scheme – pushed aggressively in the face of local opinion – has regard to nothing but the number of units it can pack onto the Park House site. The concerns of residents, neighbours, visitors and passers through are afterthoughts. Concessions have been laughable and cynical. This is not an appropriate use of this attractive and important site. On behalf of more than 50 local households, I urge you to reject this application.

Councillor, Cabinet Member for Environment will respond.

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on pages 49 – 55 of the agenda have been received from Councillors and will be taken as read along with the written answer detailed below. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion. A second supplementary question may be asked by any other Member of the Council which shall also be put and answered without discussion:

(a) Councillor Wrighton

“With increasing moves towards an online planning applications system could the Planning Committee Chairman confirm that the current service, which makes publicly available a hard copy of each planning application in the Town Hall reception, will continue in parallel?”

Reply from Councillor Hyde, Chairman of the Planning Committee.

The council is aware that whilst an increasing number of applications are made online and all applications are electronically scanned and available to view on the website, there is still significant demand from customers to view applications in hard copy. In these circumstances, the current service, which makes available a paper copy of each planning application for public inspection at the City Direct office at Hove Town Hall, will continue for the foreseeable future.

(b) Councillor McCaffery

“This Authority has an excellent Children's Service and apparently better than many others. However in the wake of the tragic case of Baby P in Haringey, would the Leader of the Council please inform this Council that the safety afforded to our vulnerable children will not be compromised by pressure on the budgets for those services?”

Reply from Councillor Brown, Cabinet Member for Children & Young People.

“In securing its savings targets for 2009/10 the general approach has been to minimise any significant impact on front-line delivery of services to children and young people. There has also been a focus on the importance of targeting resources on vulnerable children and young people.

The overall approach to 2009/10 represents the first stage of a three year budget strategy. The CYPT is two years old and the budget strategy will align with the development of the Trust at the next stage and be reflected in the new Children and Young People's Plan.

The main elements of the strategy include:

- An overall reduction in management costs
- Review of the area model for delivery
- Review and rationalisation of accommodation
- Reduction in Independent Fostering Agency placements
- Ensuring value for money

In addition consideration has been given to the identification of expenditure which is not linked to meeting the needs of vulnerable children.

The CYPT has implemented a stock take of the effectiveness of its safeguarding practice. Outline findings and proposals for future action have been shared with the CYPT Board and regular updates are planned.

Although there is much to be proud of in relation to Children's Services in Brighton and Hove the CYPT is not complacent and following events in Haringey and elsewhere there is a recognition of the need to ensure effective provision for vulnerable children and families.

Increase in activity and referrals arising from the Baby P case are being monitored and a new recruitment and retention strategy for social workers is in hand."

(c) Councillor McCaffery

"The new constitution has established an Inclusion Partnership for the City, primarily composed of the statutory bodies. This I fully support. However in what Forum can representatives of minority groups place their concerns over employment or service delivery before the Council, and how are elected councillors informed as to whether our Council's equalities policies are being carried out efficiently and effectively?"

Reply from Councillor Simson, Cabinet Member for Community Affairs, Inclusion & Internal Relations.

The council has a number of ways members of the public and members can express their concerns over matters including employment or service delivery. This can be done via individual members, letters or questions to a committee or Cabinet meeting. The Overview and Scrutiny Commission specifically has within its remit the overview of the Council's Equalities and Inclusion activities.

Additionally, where there are areas of significant community interest the council has forums to ensure consultation across major policy and service considerations – for example Community Safety, Housing Strategy and tenant engagement. Specific arrangements also exist for equalities within the Racial Harassment Forum and the disabilities and gender equalities scheme groups.

(d) Councillor Hamilton

"In the constitution, part 3, I refer to Rule 7: Order of Business at Meetings of the Council. This states under item (n): To receive and consider the reports and recommendations of the Cabinet and/or Cabinet Members. Why is this not happening?"

Reply from Councillor Norman, Chairman of the Governance Committee.

Councillor Hamilton is right in saying that Council Procedure Rule 7.1.(n) refers to receiving and considering reports and recommendations of the Cabinet and/or Cabinet members. However, this does not require ALL reports or recommendations going to the Cabinet and Cabinet Member Meetings to be referred to Council. This rule anticipates cases where Cabinet reports and recommendations need to come to Council. By way of example, such cases include:

- Decisions that are reserved to Full Council because they involve approving the budget or the policy framework, or the proposed decision is otherwise outside the budget and policy framework. An example of this is the item on today's agenda regarding equal pay.
- Cases where a Notice of Motion is referred to the Cabinet or CMM and the decision needs to be reported to Council for information. An example of this is item 54(a) on today's agenda which reports to Council for information the decision of the Environment CMM on Green Spaces and Inequality.

The practice of the Council so far has therefore been entirely consistent with the requirements of the Constitution.

(e) Councillor Kitcat

“Could Cllr Theobald provide details on any consultation held with emergency services over the type and location of communal bins being introduced to Regency Ward? In particular were individual bin locations discussed, particularly with regard to ensuring safe access and preventing fire hazards?”

Reply from Councillor Theobald, Cabinet Member for Environment.

The City Council would not usually consult the emergency services for placing objects, or indeed determining the locations for cars to park, on the public highway, unless they form part of a safety scheme or traffic calming proposal.

The specific locations of the communal bins to which you refer have been determined with Highways and Traffic engineers who fully consider road safety issues as well as access for emergency services and delivery vehicles, on this basis we have not asked the ambulance service, the fire or police authorities also to view the location of each bin.

I am pleased to mention our strong and positive links with the East Sussex Fire Authority. Cllr Ted Kemble as the Vice Chairman of the Authority discussed the communal bin scheme with the Chief Fire Officer sometime ago and they are satisfied that they do not pose an additional fire risk.

(f) Councillor Harmer-Strange

“Can the Cabinet Member for Enterprise, Employment & Major Projects explain what change was there in the footfall figures in city centre over the Christmas period, and what does he believe is responsible for the change?”

Reply from Councillor Kemble, Cabinet Member for Enterprise, Employment and Major Projects.

During the Christmas period footfall measures in the City as produced by Experian and published by the Business Forum showed a significant increase.

In the week of Christmas, city centre footfall was up almost 10% on last year. And across the four week period we had almost 70,000 more visitors in the city centre compared to the same time last year.

Feedback from traders and business associations generally confirmed positive volumes of visitors and shoppers.

There will be a number of reasons why this footfall has increased. I am convinced that the suspension of major road works made a very positive contribution to this increase.

In the same period, we launched a ‘Buy-Local’ campaign promoting the benefits of spending locally.

Much credit should also go to the retailers themselves. The quality of window displays, support for the Business Improvement District and the Christmas Lights and festive events including santa’s grotto were all of a very high quality. These joint efforts among the business community and the Council are, I believe, a major reason why footfall in 2008 grew.

(g) Councillor Barnett

“Can the Cabinet Member for Housing tell me what services or advice is available from the council to residents who are struggling with mortgage repayments?”

Reply from Councillor Caulfield, Cabinet Member for Housing.

A number of measures are proposed locally to address the housing situation brought on by the economic downturn:

- 1. Mortgage Rescue**
 - 2. Awareness Raising**
 - 3. Repossession prevention through Housing Options work**
- 1. Mortgage Rescue scheme (MRS).** This will involve joint working between the Council, Moat Housing Association and Brighton Housing Trust debt advice services to provide a buy and rent back scheme and a shared equity scheme involving significant amounts of capital.

Objectives

- To prevent homelessness by avoiding mortgage repossessions wherever possible
- To help people remain in home ownership where it is sustainable and affordable for them to do so
- To make mortgage repossession an option of last resort
- To promote community sustainability during a period of economic difficulty

We are not seeking to:

- Support bad lending and borrowing practices
- Reduce people's financial outgoings on accommodation, allowing them to spend elsewhere
- Expose applicants or the local authority to risk
- Assist households who can make their mortgage repayments
- Rescue second homes
- Stop repossessions completely at any cost

Estimated Benefits over two years

- Preventing homelessness, and its attendant disruption and dislocation, for around 30 priority need households
- A saving to the council on the costs of responding to homelessness and the provision of temporary accommodation
- A saving on the wider social costs of repossession: Loss of employment, physical and mental health deterioration, stigma of court (and costs), dependency (for formerly working households), loss of local family/kin networks (exclusion), impacts on education (school attendance and achievement).

- 2. Raising Awareness of homeowners.** It is vitally important to raise homeowners' awareness of all of the options open to them if they think they are at risk of repossession. 50% of those facing repossession do not attend court. Therefore increasing the number of households that attend repossession hearings could make a significant impact on the number of repossessions.

It is proposed to do this via a communications campaign devised and led by the Corporate Communications Team. It is envisaged that this could include:

- Holding local promotional events
- An advertising campaign including information leaflets and posters in key locations
- An information pack for homeowners in mortgage difficulties, containing advice, a copy of FAQs and useful telephone numbers

- 3. Repossession prevention through Housing Options Work.** A MRS will not provide a solution for every homeowner at risk of mortgage repossession. In all cases, Housing Options will need to consider carefully the full range of options available to homeowners faced with repossession; MR is just one option of many. It is therefore important that the council continue to focus on its successful homeless prevention approach seeking all options to prevent repossession rather than solely relying on MRS. Some of the other options to explore with homeowners in mortgage difficulty are listed below:

Local Authority Options

- Use of Homeless Prevention fund
- Part VI offer of accommodation
- Part VII homeless application

Homeowner Own Options

- Rent a Room
- Downsize

Government Options

- Income Support for Mortgage Interest

Lender Options

- Reduce monthly payments for a period
- Capitalise payments
- Cut the charges made
- Extend the length of loan
- Spread the payment of the total amount owed
- Offer a better loan rate
- Allow time to sell home (if that is preferred by homeowner)

Other options

- Private Sale and Rent Back
- RSL rescue from capital receipts

(h) Councillor Pidgeon

“Will the Cabinet Member for Housing give an update on how the council’s new adapted property list has helped the council improve services for people with physical disabilities?”

Reply from Councillor Caulfield, Cabinet Member for Housing.

As a direct result of consultation with the Allocations Review Group, an Accessible Housing Officer (AHO) was recruited in January of last year. Her remit is to improve the way in which Accessible and Adapted properties are advertised and let in the city. This is being achieved in three ways; by improving our understanding of the access needs of everybody on the Joint Housing Register; by undertaking an audit of all Council-owned housing stock in

terms of their accessibility and feasibility for adaptation; and by providing a more equal service for Disabled applicants within Homemove through more informative advertising and prioritised allocation for mobility properties.

Assessment:

Since January, all new applicants as well as existing applicants in Bands A and B have been assessed for their mobility level and given one of four categories relating to their access requirements.

Advertising and Allocation:

The Accessible Housing Officer has spent a great deal of time working with Housing and Lettings Officers within the Council and the partner Housing Associations to ensure that relevant information and appropriate mobility categories are identified in the advert.

Training:

Accessible Housing training was undertaken for representatives of our Homemove partners and the feedback was excellent. We have now rolled out this training to all Housing Management staff within the Council

Adaptations:

With the success of the work that we're doing in the identification and allocation of properties that are either pre-adapted or would lend themselves to further adaptation, BHCC can look to utilising this knowledge to make better use of its limited adaptations budget.

(i) Councillor Oxley

"Would the Leader of the Council make a statement on partnership working in the city?"

Reply from Councillor Mears, Leader of the Council.

Effective and focussed joint working with our key strategic partners in the City such as the Police, the PCT and the voluntary sector is vital if we are to deliver on our commitments to residents that are laid out in the Corporate Plan. This will become increasingly important in the coming years as we move towards Comprehensive Area Assessment, greater personalisation of public services and greater financial constraints on councils and other public bodies.

(j) Councillor Alford

"Can the Cabinet Member for Finance explain how business rates are set, and where the money collected from local businesses goes?"

Reply from Councillor Young, Cabinet Member for Finance.

Business rates are a national tax set by Government. Businesses pay an amount equal to the rateable value of the property they occupy multiplied by the national rate poundage. The rate poundage is set every year by the government, usually in late November / early December. The law prevents the government from increasing it by more than the increase in the rate of inflation in the 12 months to September that year. The rate of inflation used is the Retail Price Index (RPI) and the government has applied the full increase in the September RPI of 5% to the rate poundage for 2009/10. For most businesses the rate poundage will be 48.5p next year and they will pay 5% more in business rates from 1 April 2009.

Local councils collect business rates and pay them to the Government. Councils then receive payments from the Government as part of their annual formula grant settlement. There is no relationship between the amount any council pays into the pool and the amount it receives from the pool.

(k) Councillor Kitcat

"Can Cllr Theobald provide any details on any plans for communal collection of recycling in the city centre? If so when does he expect these plans to be implemented?"

Reply from Councillor Theobald, Cabinet Member for Environment.

There are no plans to implement communal recycling in the city centre. We are looking at a range of options to improve recycling rates and these will be set out in the waste strategy. The first draft of this will be brought to Cabinet in April this year with the intention that residents are consulted on its proposals.

(l) Councillor Carden

"May the Chair of Planning, Cllr Linda Hyde please confirm whether the council will be hiring external consultants to handle the forthcoming appeal on the Marina Development?"

Reply from Councillor Hyde, Chairman of the Planning Committee.

No such appeal has been lodged with the council and therefore no consultants have been hired.

(m) Councillor Lepper

"Could the Cabinet Member for Major Projects estimate the loss of potential investment for the council from underdeveloped spaces and empty buildings across Brighton and Hove?"

Reply from Councillor Kemble, Cabinet Member for Enterprise, Employment & Major Projects.

It is unclear from the framing of the question as to what precisely is meant by underdeveloped spaces and empty buildings across Brighton & Hove. Is this enquiry restricted to the council's major and capital projects sites and its own commercial property portfolio, or is it completely open-ended?

Falling land values and the downturn of the housing market has significantly changed the climate for property development not just in Brighton & Hove but across the UK making it difficult to establish any meaningful valuations. Property and land values are also dependent on planning and land use. All of this has created an uncertain market coupled with an unwillingness of funders and financial institutions to commit investment at this time.

On the positive side, there remain investors wishing to expand their business interests in the city – for example, Standard Life Investments and American Express. At the same time, the council are moving forward with other major regeneration schemes such as the Community Stadium at Falmer and the Open Market.

(n) Councillor Turton

“Could the leader of the council please confirm the outcomes from her three day trip to Switzerland, in terms of how far forward they are on the development of Black Rock?”

Reply from Councillor Mears, Leader of the Council.

The main purpose of the two day visit to Geneva was for lead members and senior officers of the council to have joint discussions with the partners within Brighton Arena Limited, key personnel behind the investment fund for the arena, the lead investor in the fund and the preferred franchise operator of the ice hockey team. Geneva was chosen as the location for the meeting because the lead investor had already committed to be in Geneva at this time and the investment fund is based there. It was therefore considered most expedient and convenient for all those attending to have the meeting in Geneva. The outcomes being sought in the main were to meet the lead investor to:

- discuss their assurances on the overall funding package and obtain a clearer idea on likely timescales
- agree next steps required to move towards achievement of financial close.

In the current financial climate it is extremely important to bring investment into the city. I want my administration to be proactive in making the best of the opportunities that arise. These meetings did assist us in achieving a number of very positive outcomes and all the parties are now working towards a financial close in the near future.

I would also like to say that this project will deliver some excellent and much needed benefits for the city. We want to do all we can to ensure that the work that the Brighton International Arena team are doing at this very difficult time to secure funding is seen to be fully supported by us as a council.

(o) Councillor Hawkes

“Could the Cabinet Member for Children's Services clarify whether there are any plans to close or re-home the Bright Start Nursery used by Council Staff?”

Reply from Councillor Mrs Brown, Cabinet Member for Children & Young People.

As part of its budget strategy for 2009/10 the CYPT has looked at a range of possibilities for securing savings.

The need to prioritise vulnerable children, particularly in light of events in Haringey, has led to the consideration of a range of options. One of the options that has been considered is the reduction of the subsidy to Bright Start Nursery. However there are no firm proposals at this stage.

(p) Councillor Kitcat

"Can Cllr Theobald provide the costs incurred by the council in printing and sending notifications to residents for:

- The changes in bin collection schedules,
The introduction of communal bins in some wards and
discontinuation of bag collections,
And the changes in recycling collection schedules?"

Reply from Councillor Theobald, Cabinet Member for Environment.

The cost for the communication including designing, printing and posting the materials is budgeted at £98,000. This works out at approximately £0.47 per communication. Given that all the changes result in annual savings just short of £1m I think this is money well spent.

(q) Councillor Kitcat

“Can Cllr Theobald provide an estimate on the number of people who have taken up the assisted waste collection service since the introduction of communal bins and what number of users has been budgeted for at what cost?”

Reply from Cllr Theobald, Cabinet Member for Environment.

Communal bins are generally easy to use as they avoid the need to carry a weekly supply of refuse in big black bags, and in many cases taking these down

into basement bin stores. Instead small bags of rubbish can be deposited in the bins on a daily basis if need be. However some people are unable to use communal bins and Cityclean will provide assisted collections for these residents. 17 people currently have an assisted collection for the existing communal bin collections that cover 6,600 households. To date we have received 35 requests for the new communal bin roll out covering 24,000 households, which are currently being considered against criteria set with the FDA (Federation of Disabled People) to ensure a fair and consistent approach to agreeing assisted collections.

Given our past experience it is highly likely that these numbers will reduce as residents understand the system and those who have negative views of the bins get use to and accept the scheme. Assisted collections are picked up by the driver of the communal bin truck and thus are provided within the budget for the communal bin service.

(r) Councillor Marsh

“Could the Cabinet member for Housing clarify what improvements are being made to tenants' homes under the Decent Homes Standard?”

Reply from Cllr Caulfield, Cabinet Member for Housing

Delivering decent homes is the key driver of our programme of investment in Council Housing. We are giving priority to the key components of the decent homes standard, which includes ensuring windows, doors, heating and electrical systems meet the standard.

In addition, we are investing significantly in high quality replacement kitchens and bathrooms, with a budget of around £1.3 million this financial year and over £2 million during 2009-10. These can substantially improve the quality of accommodation and living conditions for residents. We are also including low cost features which help protect the environment and save residents money through water and energy reductions.

In addition to Kitchen and Bathrooms, our decent homes programme also involves the following:

- A two-year external decorations and repairs programme with an estimated value of £5 million. This will improve decency by tackling issues such repairs to brickwork, pointing or render.
- A substantial programme of boiler and central heating repairs is underway, with spending in the region of £2.5 million annually delivering reductions in tenants' fuel needs.
- Entrance doors to properties are subject to a large scale replacement programme worth around £3.5 million between 2008 and 2010.

When we replace a kitchen or bathroom we are also ensuring that we use this opportunity to upgrade the electrics or fit a new boiler at the same time if required. This represents a smarter approach both in cost and minimising disruption for residents.

(s) Councillor Morgan

“Can the Cabinet member for Environment state how many complaints have been received by Cityclean regarding missed or delayed refuse collections in the months of October 2008, November 2008, December 2008 and January 2009, which areas these complaints are predominantly from and how they compare with the same period for the two previous years?”

Reply from Cllr Theobald, Cabinet Member for Environment.

I am sure that Councillor Warren Morgan would agree with me that we have to be very careful in using comparisons of figures that are not on a true like for like basis. Even the Government has now established its own independent statistical oversight agency, the UK Statistics Authority.

From the start of October 2008 until 19th January 2009 there were 3236 reports of missed bin collections. This covers a period of change which affected approximately 100,000 households. The previous two years saw no such change, and so for the same period i.e. October 2006 to January 2007 and October 2007 to January 2008 the figure for reported missed bins was 1543, this averages at 0.04% of the total collection. Perhaps you would now like to join me in congratulating City Clean for their excellent work in bringing in such a complex change for so many households.

(t) Councillor Kennedy

“Since refuse rounds were re-scheduled last October, residents in Osborne Road have only had their rubbish collected on the correct day on two occasions. Can Cllr Geoffrey Theobald tell me if, as Cabinet Member for the Environment and as a council tax-payer, he thinks this level of service is acceptable?”

Reply from Cllr Theobald, Cabinet Member for Environment.

You are right Osborne Road has suffered in particular from the refuse round changes and of course the Christmas period did not help matters in this case. Although we expected it to take some months to settle in the new rounds I do not think it is acceptable that the residents of Osborne Road had to wait so long for the normal, reliable service to Return.

Further changes have been made to this refuse round with the intention of getting a regular service returned to those residents.

I can assure residents that I am working with City Clean to get this right.

(u) Councillor Davis

“How many days in all has the Jubilee Library IT system not been working properly since it's installation?”

Reply from Cllr Smith, Cabinet Member for Culture, Recreation & Tourism.

"The public access computer facilities across all our public libraries suffered a major server failure on 23rd December and were returned to full working order on 20th January - a total of 28 calendar days (but only a maximum of 16 library open days) to get all systems fully up and running. However, during that time different libraries were able to do a phased return:

- All community libraries excluding Hangleton Library returned to allowing public use on 6th January, albeit without some desktop icons, and had normal use from 14th January.

- Jubilee Library, Hove Library and Hangleton Library returned to allowing public use on 15th January, but had to process new members with temporary cards until the final fix on 20th January.

All systems are now running normally on the temporary server, and a new server is on order."

(v) Councillor Allen

“It is clear that many drivers are confused as to who has right of way at the Highcroft Villas/Dyke Road Drive/Stanford Road/Port Hall Avenue crossroads. Those coming from Port Hall Avenue frequently ignore - or simply do not notice - the fading STOP sign on the road and fail to give way to those turning right from Dyke Road Drive into Highcroft Villas (who in fact have right of way). Would the Cabinet Member for Environment agree to take action as soon as possible?”

Reply from Cllr Theobald, Cabinet Member for Environment.

In response to your question, I am pleased to report that this junction has a very good safety record so I won't be instructing officers to consider alterations to the junction layout. However, I have asked for the faded 'Give Way' junction markings on Porthall Avenue and Stanford Road to be renewed, and this will make the situation clearer.

(w) Councillor Allen

“The work carried out in Preston Park under the previous Labour administration's planned programme of refurbishment of the city's parks brought credit to the council as a whole. It is sad to see the current signs of neglect, in particular the deteriorating condition of some of the benches. Two in

the Rose Garden have missing slats, as do three in the main body of the park. What plans does the Cabinet Member for Environment have to remedy this neglect?"

Reply from Cllr Theobald, Cabinet Member for Environment.

I have instructed officers to have the benches repaired as soon as possible. Preston Park is one of our flagship parks that continues to be awarded Green Flag status for many years running. Significant improvements have been made to the park including the complete refurbishment of the multi-use games area. We are also planning to renew signage in Preston Park and other parks across the city. This administration has also set up a new parks ranger service to reduce anti-social behaviour in parks, organise events, forge links with local communities and get more people enjoying our parks. However, I welcome your report and I have instructed officers to repair those benches.

(x) Councillor Carden

"Could the Cabinet Member for Children and Young people's services please confirm whether an extra £200,000 has been allocated to youth services for Brighton and Hove?"

Reply from Reply from Councillor Mrs Brown, Cabinet Member for Children & Young People.

"The CYPT is planning to increase its core funding for youth support services in the City by £200,000 in 2009/10 but this is dependent on the overall budget setting process.

However the current funding for the transitional youth work of £250, 000 will no longer be available in the Area Based Grant in 2009/10. This money has been funding both the voluntary and community sector as well as CYPT directly managed work.

When the £200,000 is secured it is planned to commission services in line with the Integrated Youth Support Services Commissioning Strategy which has been approved by the CYPT Board. This process will be managed through the Commissioning sub-group and the Youth and Connexions Board. Both committees have elected voluntary and community sector representatives as well as representation from the statutory sector.

The intention will be to commission some youth services from the VCS, most likely at a slightly reduced level from this new funding stream because of the overall reduction in funding. But all the work funded LA or VCS work, will have contracts or Service Level Agreements and agreed outcomes that deliver the CYPT priorities as identified in the commissioning strategy."

(y) Councillor Duncan

“Can Councillor Ayas Fallon-Khan confirm how many press briefings have been held by the Council taken place in the current municipal year?”

Reply from Cllr Fallon-Khan, Cabinet Member for Central Services.

Almost all interface between the council and the media could be described as a form of briefing as the purpose is, invariably, to impart information about council business to one or more journalists, or to *brief* them about a given topic. This can be for the purpose of providing quotes either in print or for broadcast – or the briefing could be for information to inform a news item or feature.

Work conducted by the press office include proactive press releases and reactive verbal or written responses to media enquiries; the organisation of face-to-face interviews; telephone conversations; letters (either for publication or not for publication) and press conferences.

However, the communications team has in the last six months improved its systems to capture as much of this activity as is possible and appropriate. The following figures can be given for that period as a measure of the volume of dialogue between the media and the council.

On the basis of previous activity it is estimated that there are slightly over 100 instances of contact with the media a month. It can therefore be assumed that in the 10 months of the municipal year the council has had dialogue with the media upwards of 1,000 times. However for the reasons stated above, this can only be an estimation.”

(z) Councillor Duncan

“In light of a report in The Times that “Tens of thousands of public sector jobs will be lost across Britain this year as councils struggle to cope with the impact of the recession... and unions fear that few of the 442 local authorities across England, Scotland and Wales will escape the cutbacks” and the fact that neighbourhood management staff serving the deprived Turner and Eastern Road areas have been served redundancy notices, can Councillor Mary Mears confirm how many jobs look set to go at Brighton and Hove Council in the coming year?”

Reply from Councillor Mears, Leader of the Council.

Currently no staff have been made redundant and we hope that there will be no need for any redundancies. There are 26 employees who have been identified as at risk of redundancy out of a workforce of over 7,000. The Council is working extremely hard to ensure there are no redundancies. These officers are also being supported by Human Resources to identify alternative roles for redeployment should this be necessary. The Council believes, based on its current information, that it will successfully retain a significant number of these staff in its employment.

(aa) Councillor West

"Is Cllr Theobald aware of recent reports of an unholy stench escaping from the Hollingdean Dump and invading the local area.

Local residents, parents, school staff and children have been repeatedly subjected to the stench of rotting waste. On a recent occasion the smell in the playground at Downs Infants School was so awful it was described to be "as bad as at the back of a refuse lorry". So terrible in fact people have taken to covering their faces.

Parents, teachers and residents are understandably very concerned not only about the unpleasantness of the smell but the possible health hazard it presents to them and their children."

Reply from Cllr Theobald, Cabinet Member for Environment.

I am aware that on the 8th of January complaints were logged about odour from the Hollingdean Waste Transfer Station by one resident, the head teacher at the school and two parents walking to school. Environmental Health Officers investigated immediately and did not identify a statutory odour nuisance. The reported smell experienced that day resulted from a build up of waste over Christmas and New Year being moved.

A waste management licence, which is regulated by the Environment Agency, ensures that waste cannot be stored on site for more than 72 hours. To comply with this licence condition, large amounts of waste were being moved on the day in question. This resulted in increased lorry journeys and the doors to the facility opening more frequently.

Following the investigation, Environmental Health have written to Veolia and handling practices have been reviewed and improved to address exceptional circumstances should they recur. Environmental Health, Planning, Cityclean and Veolia will continue to work together closely to monitor the situation. If residents experience problems, they should contact council officers first in preference to the media so that officers can respond promptly.

NOTICE OF MOTION

AMENDMENT FROM THE LIBERAL DEMOCRAT GROUP

GOVERNMENT SURVEILLANCE OF COMMUNICATIONS – THE DATA BASE STATE

Insert a final bullet point as shown in bold italics:

“This Council notes with grave concern the Home Secretary’s recent announcement of an Interception Modernisation Programme which will establish a central database of the electronic communications data records of all individuals in Britain. The proposals are as a result of the Government’s adoption into UK law of the EU Data Retention Directive 2006, which requires the introduction of such a scheme for internet communications by 1st April 2009. A public consultation on the proposals is due to take place in early 2009.

Whilst this Council recognises the increasingly complex nature of investigating the terrorist threat, it believes that a database of this sort would represent a serious and unnecessary infringement of the ancient and hard-fought civil liberties of the people of Brighton & Hove and the rest of the country.

This Council agrees with the Information Commissioner who stated recently that such proposals would be “a step too far for the British way of life”. Indeed, such an approach is counter-productive and hands a moral victory to the terrorists, and their apologists, who oppose the very democratic principles upon which our liberal society is founded.

This Council expresses concern with the proposals on the following grounds:

- Cost – Government IT schemes are notoriously expensive. Initial estimates put the potential costs of the Interception Modernisation Programme at up to £12 billion.
- Data security – The Government has an abysmal record of protecting personal information and sensitive data. Indeed, the Prime Minister recently admitted that “we cannot promise that every single item of information will always be safe”.
- Efficacy – a recent report from the U.S. National Academies concluded that such a surveillance system would be inefficient, would create huge numbers of false leads and would be highly unlikely to detect or pre-empt terrorist attacks.
- Surveillance overload – this is another in a long line of intrusive surveillance measures introduced or proposed by this government such as ID cards, the National DNA Database (which stores the DNA of innocent people) and the Contact Point child database.

Therefore, this Council instructs the Chief Executive:

- To write to the Local Government Association and the Office of the Information Commissioner, requesting that they join the council in conveying to the Government their concern about the potential adverse impact on civil liberties of establishing a central electronic database.

- ***To request that the Cabinet considers expressing the views set out in this motion as part of a response to the Home Office's consultation on the secondary legislation for ID Cards, which amongst other issues is seeking comment on the information held on the National Identity Register and the agencies required to share information held on citizens."***

Proposed by: Cllr Paul Elgood

Seconded by: Cllr David Watkins

NOTICE OF MOTION

AMENDMENT FROM THE GREEN GROUP

DEMOCRATIC ACCOUNTABILITY AND THE ~~QUANGO STATE~~ DELIVERY OF PUBLIC SERVICES

Delete text as crossed out and replace with new text as shown in bold italics:

“This Council believes that an over-reliance on unelected quangos and ~~public bodies~~ ***private enterprises*** to deliver public services undermines the principle of democratic accountability that is fundamental to our society. ~~The spending of taxpayers’ money, without proper lines of accountability is bad for civic society, effective government and undermines public trust and confidence.~~ This Council thinks that local councils, and the partnership structure they head, are better positioned to deliver public services ***than either QUANGOs or privately-owned businesses*** because they command a clear democratic mandate from local residents, ~~unlike quangos.~~

This Council notes with concern that there has been a considerable growth in unelected, unaccountable QUANGOs and other private bodies ‘~~quango state~~’ over the last ***three decades, from the privatisation of essential public services since the 1980s to the advent of the £2.6 billion a year South East England Regional Development Agency more than ten years later.*** Examples of the ‘~~quango state~~’ include:

- ~~Since 1997, the cost of quangos has increased in real terms by over 50%~~
- ~~In 2006/07, taxpayers funded 1,162 public bodies, none of which was run by someone with a direct public mandate.~~
- ~~These unaccountable public bodies cost the British taxpayer nearly £64 billion every year.~~
- ~~An example of expensive quangos that lack a democratic mandate are Regional Development Agencies (RDA), which spent £2.6 billion of public money in 2006/7.~~
- ~~The RDA responsible for spending money on the behalf of residents of Brighton & Hove is the South East England Development Agency (SEEDA), which spends nearly £200 million annually.~~
- ~~RDA board members are not elected by the people who they are supposed to work for, and are only appointed or accountable to a Government Minister in Whitehall (in this case the Secretary of State for Business, Enterprise & Regulatory Reform).~~

This Council believes ***this democratic deficit in the provision of public services requires*** the ‘~~quango state~~’ requires fundamental reform and wherever possible and appropriate, powers, resources and responsibilities should be devolved to directly-elected local authorities.

~~Where this is not possible, quangos should be directly accountable to Parliament, rather than the Executive. Local outposts of national quangos should be held properly to account by local authority overview & scrutiny committees under powers contained~~

~~in the Local Government and Public Involvement in Health Act 2007 and the new Local Democracy, Economic Development & Construction Bill. This Council believes that Brighton & Hove Overview & Scrutiny committees should make more use of these powers.~~

~~In 1995, Gordon Brown promised a “bonfire of the quangos” if the Labour Party got into power, however all that happened was unelected quangos grew more powerful and less accountable to local people whose taxes they spend.~~

Therefore this Council:

Requests that the Chief Executive writes to the Minister for the Cabinet Office calling for him to:

- a) **Encourage** ~~Ensure that a far higher proportion of all significant quango board appointments~~ **to be made from** are directly-elected local representatives or councillors – **and that they should, in these times of economic hardship and increasing numbers of public sector redundancies, receive no extra pay or allowances for sitting on these bodies.**
- b) Ensure that board members have a duty to stand down when they no longer represent the sector from which they were appointed.
- c) **Introduce confirmation hearings in front of a House of Commons select Committee, or local authority overview & scrutiny committee (as appropriate), for all appointments to the board – and the annual budgets and accounts – of all QUANGOs, companies and other non-governmental organisations delivering public services.** ~~For quangos that remain, introduce U.S.-style confirmation hearings for national and regional quango appointments (and their annual budgets) in front of a House of Commons Select Committee.~~

Proposed by: Cllr Ben Duncan

Seconded by: Jason Kitcat

NOTICE OF MOTION

AMENDMENT FROM THE LABOUR GROUP

DEMOCRATIC ACCOUNTABILITY AND THE QUANGO STATE

Delete text where crossed out and insert new text and paragraphs as shown in bold italics:

~~“This Council believes that an over-reliance on unelected quangos and public bodies to deliver public services undermines the principle of democratic accountability that is fundamental to our society. The spending of taxpayers’ money, without proper lines of accountability is bad for civic society, effective government and undermines public trust and confidence. This Council thinks that local councils, and the partnership structure they head, are better positioned to deliver public services because they command a clear democratic mandate from local residents, unlike quangos.~~

This Council notes with concern that there has been a considerable growth in an unelected, unaccountable ‘quango state’ over the last decade. Examples of the ‘quango state’ include:

- Since 1997, the cost of quangos has increased in real terms by over 50%
- In 2006/07, taxpayers funded 1,162 public bodies, none of which was run by someone with a direct public mandate.
- These unaccountable public bodies cost the British taxpayer nearly £64 billion every year.
- An example of expensive quangos that lack a democratic mandate are Regional Development Agencies (RDA), which spent £2.6 billion of public money in 2006/7.
- The RDA responsible for spending money on the behalf of residents of Brighton & Hove is the South East England Development Agency (SEEDA), which spends nearly £200 million annually.
- RDA board members are not elected by the people who they are supposed to work for, and are only appointed or accountable to a Government Minister in Whitehall (in this case the Secretary of State for Business, Enterprise & Regulatory Reform).

~~This Council believes the ‘quango state’ requires fundamental reform and wherever possible and appropriate, powers, resources and responsibilities should be devolved to directly elected local authorities.~~

~~Where this is not possible, quangos should be directly accountable to Parliament, rather than the Executive.~~

This council welcomes the government’s Sub National Review that seeks to reform regional economic development and supports the LGA’s call for the handing down of finance and powers from the RDAs to local councils (when necessary) to be enshrined in legislation. It believes that locally elected councillors should still play a central part in the work of the reformed RDAs.

This council supports the government's consideration of the creation of Regional Parliamentary Select Committees to ensure their correct accountability to Parliament.

Furthermore, this council notes that 23 councils are now working together via Multi Area Agreements with greater levels of local autonomy devolved to these councils from central government in areas such as housing, skills, transport and regeneration and would urge this council to consider the benefits of this way of working.

Local outposts of national quangos should be held properly to account by local authority overview & scrutiny committees under powers contained in the Local Government and Public Involvement in Health Act 2007 and the new Local Democracy, Economic Development & Construction Bill. This Council believes that Brighton & Hove Overview & Scrutiny committees should make ~~more~~ **good** use of these powers **once the Bill is enacted**.

~~In 1995, Gordon Brown promised a "bonfire of the quangos" if the Labour Party got into power, however all that happened was unelected quangos grew more powerful and less accountable to local people whose taxes they spend.~~

Therefore this Council:

Requests that the Chief Executive writes to the Minister for the Cabinet Office calling for him to:

- d) Ensure that a far higher proportion of all significant quango board appointments are directly-elected local representatives or councillors.
- e) Ensure that board members have a duty to stand down when they no longer represent the sector from which they were appointed.
- f) For quangos that remain, introduce U.S.-style confirmation hearings for national and regional quango appointments (and their annual budgets) in front of a House of Commons Select Committee.

Proposed by: Cllr Gill Mitchell

Seconded by: Cllr Warren Morgan

NOTICE OF MOTION

AMENDMENT FROM THE LIBERAL DEMOCRAT GROUP

ACCELERATED DEVELOPMENT ZONES

Add new points at the end of the motion:

“This Council believes that Accelerated Development Zones (ADZ) offer an innovative method for councils of raising much-needed funding for infrastructure investment and business growth. ADZs work by local authorities borrowing money against future additional business rate income that would be generated by new businesses following the development of new infrastructure.

Importantly, this additional income derives from new business creation rather than further taxation of existing business. ADZs are widely credited with the regeneration of industrial cities in the U.S., such as Pittsburgh and Chicago.

ADZs bring significant and additional benefits to local transformational projects which, without significant enabling infrastructure investment, would not otherwise be delivered. ADZs would, hence, have the potential to help deliver significant major projects in Brighton & Hove.

This Council welcomes the moves led by Birmingham City Council to establish an ADZ for the Birmingham city region. Research by the Core Cities Group has estimated that if an ADZ were introduced in the Eastside area of Birmingham, it would create up to 7,500 new jobs, 760 new homes and would add an extra annual Gross Value Added (GVA) to the local economy of £306 million.

This Council notes the Government’s efforts to give councils greater flexibility over business taxation through LAGBI, BIDS and recent proposals for supplementary business rates, but recognises that these measures don’t go far enough.

Therefore, this Council resolves to instruct the Chief Executive to:

- Write to the Secretary of State for Communities and Local Government urging her to include provision for ADZs in the Business Rate Supplements Bill, currently before Parliament.
- Write to the City’s three MPs urging them to support such a measure.
- ***This Council also notes the concerns expressed in Parliament during the passage of the Business Rates Supplements Bill and urges the Government to resolve these before its final reading with a view of encouraging more flexible, localised and accountable business rate taxation, especially mindful of the impact of the recession on local businesses in the city.***

- ***This Council further requests that the Council's Overview and Scrutiny function to consider examining the possible benefits of ADZs for Brighton & Hove.***

Proposed by: Cllr Paul Elgood

Seconded by: Cllr David Watkins

NOTICE OF MOTION

AMENDMENT FROM THE LABOUR GROUP

ACCELERATED DEVELOPMENT ZONES

Delete text as crossed out and insert new text and paragraphs as shown in bold italics:

“This Council believes that Accelerated Development Zones (ADZ) **may** offer an innovative method for councils of to ~~raise~~ **raising much needed** funding for infrastructure investment and business growth. ADZs work by local authorities borrowing money against future additional business rate income that would be generated by new businesses following the development of new infrastructure.

Importantly, this additional income derives from new business creation rather than further taxation of existing business. ADZs are ~~widely~~ credited with the regeneration of industrial cities in the U.S., such as Pittsburgh and Chicago. **However, ADZs, which are titled Tax Increment Financing (TIF) districts in the US, have also attracted criticism at State and Federal level. Legislation has been passed by the State of California to curb the abuse of ADZs by local politicians and developers and the Kelo v. City of New London Supreme Court case focussed on similar abuses within a TIF district.**

ADZs **may** bring significant and additional benefits to local transformational projects ~~which, without significant enabling infrastructure investment, would not otherwise be delivered. ADZs would, hence, and~~ **could** have the potential to help deliver significant major projects in Brighton & Hove.

This Council ~~welcomes~~ **notes** the moves led by Birmingham City Council to establish an ADZ for the Birmingham city region. Research by the Core Cities Group has estimated that if an ADZ were introduced in the Eastside area of Birmingham, it would create up to 7,500 new jobs, 760 new homes and would add an extra annual Gross Value Added (GVA) to the local economy of £306 million.

However, this Council also notes that ADZs are untested in the UK and there exists no evidence based assessment to quality assure and verify the effectiveness of ADZs ~~This Council notes the Government’s efforts to give councils greater flexibility over business taxation through LAGBI, BIDS and recent proposals for supplementary business rates, but recognises that these measures don’t go far enough.~~

Therefore, this Council resolves to:

request the Cabinet Member for Enterprise, Employment and Major Projects to consider the need for a detailed report and scoping study to be prepared by officers for initial consultation with the Brighton and Hove Economic Partnership and other key stakeholders before subsequent presentation at a

future Enterprise, Employment and Major Projects Cabinet Member Meeting

~~Write to the Secretary of State for Communities and Local Government urging her to include provision for ADZs in the Business Rate Supplements Bill, currently before Parliament.~~

- ~~• Write to the City's three MPs urging them to support such a measure."~~

Proposed by: Cllr. Craig Turton

Seconded by: Cllr. Gill Mitchell

REVISED NOTICE OF MOTION**LABOUR AND GREEN GROUPS****UNFAIR PREPAYMENT METER ENERGY PRICES**

Since being appointed to the Department of Energy and Climate Change, Ed Miliband has made tackling unfair fuel pricing one of his main priorities.

Ed Miliband MP (Secretary of State for Energy and Climate Change) warned,

"The recent Ofgem report found that millions of vulnerable customers were losing out who were on pre-payment meters, off the gas grid, or served by companies that used to be the local monopoly.

"There can be no excuse for these practices, and unless all energy companies accept their responsibility for ending them, we will use our powers to do so."

Energy regulator Ofgem and the National Housing Federation have recently highlighted the unjustified overcharging for energy of those not on gas mains and those with prepayment meters.

The National Housing Federation report stated that customers using these meters typically paid £150 more a year than those paying by direct debit, and around £60 more than those who paid quarterly by cash or cheque. EDF, British Gas and Scottish and Southern Energy still charge gas pre-payment customers higher rates than their other customers.

This motion asks that all members of the council;

- Welcome Ed Miliband's objectives when he calls for energy companies to act more responsibly.
- Support tougher action, in the form of legislation if energy companies fail to fairly regulate their energy prices, and refuse to stop targeting the most vulnerable members of our community.
- Support the positive action taken by companies like Scottish Power who have already moved their prepayment tariffs in line with all other price plans.
- Welcome the increase in Winter Fuel Allowance in 2008 which ensured that all people over 60 received up to £250 and up to £400 for people over 80.
- Welcome action by energy companies that have set up energy trusts or charities, such as British Gas energy trust and EDF energy trust which offer financial assistance and advice to low income families and individuals that are struggling to pay their bills.
- Support the government-funded Warm Front scheme which aims to make homes warmer and more energy-efficient, by providing packages of insulation and

heating improvements up to the value of £2,700 (or £4,000 if oil central heating is recommended).

It therefore requests the Chief Executive to write:

1. Calling on the Government to take action to end this 'therm tax' levied by the energy companies on pre-payment customers, who are generally people on low incomes struggling to make ends meet.
2. Calling on the city's three MPs to urge the Government to take action to end this iniquitous 'therm tax'.

Proposed by: Cllr Anne Meadows

Seconded by: Cllr Jason Kitcat

Supported by: Cllrs Gill Mitchell, Christine Simpson, Jeane Lepper, Warren Morgan, Juliet McCaffery, Les Hamilton, Pat Hawkes, Mo Marsh, Bill Randall, Ben Duncan, Ian Davey, Rachel Fryer, Amy Kennedy, Sven Rufus, Paul Steedman, Keith Taylor, Vicky Wakefield-Jarrett, Pete West and Georgia Wrighton

REVISED NOTICE OF MOTION

AMENDMENT FROM THE CONSERVATIVE GROUP

UNFAIR PREPAYMENT METER ENERGY PRICES

Delete words as crossed out; add new paragraphs and text as shown in bold italics.

“Since being appointed to the Department of Energy and Climate Change, Ed Miliband has made tackling unfair fuel pricing one of his main priorities.

For 11 years, previous Labour Ministers have spectacularly failed to deal with fuel poverty. The Government’s own figures estimate that the number of ‘fuel poor’ households in England is now higher than at any time recorded since Labour came to power. Even the Government now accepts that it will fail to meet its legal duty to reduce fuel poverty in the time frame that it created.

Ed Miliband MP (Secretary of State for Energy and Climate Change) warned,

"The recent Ofgem report found that millions of vulnerable customers were losing out who were on pre-payment meters, off the gas grid, or served by companies that used to be the local monopoly.

"There can be no excuse for these practices, and unless all energy companies accept their responsibility for ending them, we will use our powers to do so."

Energy regulator Ofgem and the National Housing Federation have recently highlighted the unjustified overcharging for energy of those not on gas mains and those with prepayment meters.

This Council welcomes Ofgem’s belated recognition that energy firms are not doing enough to reduce people’s fuel bills, but believes they should do more.

Ofgem began a six-week consultation on changes to the suppliers’ licences this month. This Council notes with concern that people in Brighton & Hove are struggling to heat their homes and pay their bills now, but the Government’s regulator is not likely take any decisions until the end of February.

The National Housing Federation report stated that customers using these meters typically paid £150 more a year than those paying by direct debit, and around £60 more than those who paid quarterly by cash or cheque. EDF, British Gas and Scottish and Southern Energy still charge gas pre-payment customers higher rates than their other customers.

This Council believes that the Government needs to do more to support the introduction of 'smart meters' in people's homes. Smart meters cover both electricity and gas use (and can also cover water use), and offer accurate real-time information on households usage, allowing for accurate billing. Studies suggest smart meters offer a potential to deliver sustained energy savings of 5% to 10% for customers, and make people more conscious of their energy usage.

This motion asks that all members of the council;

- ~~Welcomes Ed Miliband's objectives when he calls for energy companies to act more responsibly.~~ ***Call on Ed Miliband to take real, effective action to make energy companies act more responsibly, which the Government has so far failed to do.***
- Support tougher action, in the form of legislation if energy companies fail to fairly regulate their energy prices, and refuse to stop targeting the most vulnerable members of our community.
- Support the positive action taken by companies like Scottish Power who have already moved their prepayment tariffs in line with all other price plans.
- ***Recognise that despite*** ~~Welcome~~ the increase in Winter Fuel Allowance in 2008, which ensured that all people over 60 received up to £250 and up to £400 for people over 80, ***older people still make up a significant proportion of the people suffering fuel poverty.***
- Welcome action by energy companies that have set up energy trusts or charities, such as British Gas energy trust and EDF energy trust which offer financial assistance and advice to low income families and individuals that are struggling to pay their bills.
- Support the government-funded Warm Front scheme which aims to make homes warmer and more energy-efficient, by providing packages of insulation and heating improvements up to the value of £2,700 (or £4,000 if oil central heating is recommended).

It therefore requests the Chief Executive to write:

1. Calling on the Government to take action to end this 'therm tax' levied by the energy companies on pre-payment customers, who are generally people on low incomes struggling to make ends meet.
2. Calling on the city's three MPs to urge the Government to take action to end this iniquitous 'therm tax'.
3. ***Responding to Ofgem's consultation, entitled 'Addressing unfair price differentials', on the council's behalf urging it to take stronger action against energy companies.***

- 4. Calling on the Government to introduce 'smart meters' to help people suffering fuel poverty reduce their energy bills.**
- 5. Calling on the Government to make every energy company to offer social tariffs to vulnerable households and provide information on energy bills that clearly shows customers whether they are on the cheapest tariff offered by their energy company.**

Proposed by: Cllr Maria Caulfield

Seconded by: Cllr Mary Mears

NOTICE OF MOTION

JOINT AMENDMENT FROM THE CONSERVATIVE AND GREEN GROUPS

WIND TURBINES

Delete the words as crossed out and add the words and insert new paragraphs as shown in bold italics:

This Council welcomes in principle the ~~announcement of~~ plans announced by the Government and the Crown Estate to spend £180 million, ***in conjunction with the private sector***, on the placement of wind turbines off the Sussex Coast.

This council believes that the turbines would be a major addition to sustainable energy generation in the South East, providing up to 500 megawatts an hour for the National Grid and forming part of the national goal of 25 gigawatts by 2020.

Furthermore, this council welcomes the economic benefits and creation of 'green-collar' jobs that an offshore wind farm would potentially bring to Brighton & Hove, and endeavours to do everything possible to maximise these benefits for the City's residents.

This Council also welcomes the work currently being carried out to consider the merits of setting up a local Energy Service Company (ESCO) in Brighton & Hove. This would not only utilise localised renewable energy sources but would also potentially lead to reduced energy bills for council house tenants.

This Council believes that increasing use of sustainable forms of energy including wind, tidal and solar generation will reduce our use of fossil fuel ***and give much needed help to the U.K. in meeting its target of producing 20% of its energy from renewable sources by 2020. The UK's current renewal energy production is only 4.6%***. ~~and praises the work of Des Turner MP for his decade of work in promoting research and investment in renewable and sustainable forms of energy in Parliament.~~

This Council requests that

(1) the Chief Executive write to ***the Crown Estate and*** the Secretary of State for Energy and Climate Change, the Rt Hon Ed Miliband MP, expressing our support for these ***offshore wind farm*** plans and asking how ***Brighton & Hove can facilitate the development in order to make most economic benefit from it.*** ~~promote the use of wind turbines for energy generation in our area, and to urge that the precise siting of the turbines be subject to consultation with Natural England.~~

(2) The siting of the turbines be subject to consultation with conservation groups / appropriate bodies.

Proposed by: Cllr Denise Cobb

Seconded by: Cllr Paul Steedman

NOTICE OF MOTION

AMENDMENT FROM THE CONSERVATIVE GROUP

RETAIL

Delete words crossed out and replace with the new words and insert new paragraphs as shown in bold italics:

“This Council gives its fullest support to Brighton and Hove’s unique, independent traders and wishes to ensure their long term viability.

This Council notes that:

- Brighton and Hove’s smaller, independent traders are central to the appeal of the city to visitors and residents alike, and thus central to the creation and retention of local jobs;
- The recession is making life particularly tough for these unique shops as people re-evaluate their spending and the Council has recently launched a Be Local, Buy Local campaign to support local traders; ***in addition to other positive council actions which include:***
 - ***emergency ‘recession relief’ package***
 - ***establishment of the economic taskforce***
 - ***suspension of city centre roadworks over Christmas***
 - ***promotion of small business rate relief***
 - ***funding more business support clinics***
- The Centre for Cities recently estimated that Brighton ~~is likely to~~ **could** lose up to ***between 2400*** - 7400 jobs in the period to 2011, with up to ***and 30*** - 40% of these **could** coming from the retail and leisure sector;
- ***This council recognises that the economy is in a state of flux; however the Retail Strategy 2006 identified capacity in Brighton & Hove for growth in convenience and comparison retailers in the longer-term. The very significant expansion of the city’s chainstore retail sector projected in the Council’s 2006 Retail Study, written at the height of the debt fuelled boom, may be unrealistic and create further threats to the continued viability of our local, independent traders. In many cases independent and highstreet retailers are not market competitors and a strong regional shopping centre is important to attract shoppers and tourists who support the independent sector.***

This Council therefore:

- Expresses its support for Brighton and Hove's unique, independent retailers in these difficult financial circumstances **and the council's proactive action to support these important small businesses;**
- **Acknowledges that the national and local economy is in a state of flux that may affect economic assumptions in the short term. Once economic conditions have stabilised for a sustained period, requests the Cabinet consider whether it would be appropriate to** take a fresh look at the assumptions behind, and conclusions of, the present Retail Strategy (a key background document to the emerging Local Development Framework), to make certain that they are still sound.

Proposed by: Cllr Ted Kemble

Seconded by: Cllr David Smith